

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEITH FETSURKA, et al.,

Plaintiffs,

v.

DANIELLE OUTLAW, et al.,

Defendants.

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**Civil Action
No. 20-5857**

MOTION FOR CONTINUANCE OF PRETRIAL SCHEDULE AND TRIAL

COME NOW, Defendants City of Philadelphia and Philadelphia Police Commissioner, Danielle Outlaw, by and through their counsel, hereby respectfully request this Honorable Court continue the dates set forth in the January 28, 2021 Pretrial Scheduling and Trial Order, and aver in support as follows:

1. Counsel for Defendants and Plaintiffs (the “Parties”) have been in ongoing settlement negotiations with the assistance of the Honorable Judge David Strawbridge.
2. To that end, as recently, as Thursday, March 4, 2021, the parties discussed means to narrow the issues in dispute so that a settlement of the instant lawsuit could potentially be reached.
3. The parties are continuing to work together in good faith to achieve a resolution of this matter. If such a resolution is reached, it would eliminate the need for further action from this Honorable Court.
4. As discovery is set to conclude on March 12, 2021, it would require the Parties to spend time concluding discovery, inclusive of conducting depositions, that would impede the Parties’ ability to continue to work towards a timely settlement with the assistance of Judge Strawbridge.

5. The Parties agree that further settlement discussions would be productive.

6. Accordingly, the Parties jointly request that all deadlines currently set forth in the January 28, 2021 Pretrial Scheduling and Trial Order be extended by two weeks, as follows:

- a. Discovery Deadline: March 26, 2021;
- b. Plaintiffs' Pretrial Memorandum: April 2, 2021;
- c. Defendants' Pretrial Memorandum: April 9, 2021;
- d. Plaintiffs' proposed Findings of Fact and Conclusions of Law (subject to changes after trial): April 16, 2021. Defendants' Response: April 23, 2021;
- e. Non-Jury Trial (either virtual, hybrid, or live, depending on Covid-19 situation): May 3, 2021.

WHEREFORE, on behalf of the Parties, Defendants respectfully request that this Honorable Court continue the dates set forth in the January 28, 2021 Pretrial Scheduling and Trial Order by two weeks as set forth above.

Date: March 8, 2021

Respectfully submitted,

CITY OF PHILADELPHIA LAW DEPARTMENT
Diana P. Cortes, City Solicitor

/s/ Kristin K. Bray

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CERTIFICATE OF SERVICE

I hereby certify that on the date below, Defendants' Motion to Dismiss Plaintiffs' Amended Complaint, was filed via the Court's electronic filing system and is available for viewing and downloading by all parties of record.

Date: March 8, 2021

Respectfully submitted,

CITY OF PHILADELPHIA LAW DEPARTMENT
Diana P. Cortes, City Solicitor

/s/ *Kristin K. Bray*

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